

# EXHIBIT 6

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW YORK

IN RE:

ETHYL TERTIARY BUTYL  
ETHER ("MTBE")

PRODUCTS LIABILITY  
LITIGATION

\_\_\_\_\_ )

VIDEOTAPED DEPOSITION OF  
WILLIAM YULINSKY  
New York, New York

— — —

Tuesday, March 13, 2007  
(10:30 a.m. - 4:34 p.m.)

BEFORE: MERCEDES MARNEY, RPR  
Notary Public of the State of New York

— — —

GOLKOW TECHNOLOGIES, INC.  
1880 John F. Kennedy Boulevard  
Suite 760  
Philadelphia, Pennsylvania 19103

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MARCH 13, 2007  
10:30 A.M.

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13           Videotaped Deposition of WILLIAM YULINSKY,  
14 held at the offices of MCDERMOTT, WILL & EMERY,  
15 340 MADISON AVENUE, New York, New York,  
16 pursuant to Notice, before MERCEDES MARNEY,  
17 RPR, a Notary Public of the State of New York.

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1 A P P E A R A N C E S:

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3 EXXON MOBIL CORPORATION

4 5959 Las Colinas Boulevard

5 Irving, Texas 75039

6 BY: WILLIAM J. STACK, ESQUIRE

7 (713) 656-2583

8

9 MCDERMOTT, WILL & EMERY

10 340 Madison Avenue

11 New York, New York 10173

12 BY: JENNIFER KALNINS TEMPLE, ESQ.

13 (212) 547-5400

14 Attorneys for ExxonMobil

15

16 BRACEWELL & GIULIANI LLP

17 111 Congress Avenue, Suite 2300

18 Austin, Texas 78701

19 BY: ANDREW M TAYLOR, ESQUIRE

20 (512) 472-7800

21 Attorneys for Valero Defendants

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23

24

25

1 NEW YORK CITY LAW DEPARTMENT

2 100 Church Street

3 New York, New York 10007

4 BY: DANIEL GREENE, ESQUIRE

5 (212) 788-1568

6 Attorney for the Witness

7

8 BLEAKLEY PLATT & SCHMIDT, LLP

9 One North Lexington Avenue

10 White Plains, New York 10601

11 BY: PETER F. HARRINGTON, ESQ.

12 (914) 287-6154

13 Attorneys for Getty

14

15 KING & SPALDING LLC

16 1100 Louisiana, Suite 4000

17 Houston, Texas 77002

18 BY: RUSSELL D. WORKMAN, ESQ.

19 (713) 751-3292

20 Attorneys for Chevron

21

22

23

24

25

1 BLANK ROME LLP  
2 130 North 18th Street  
3 Philadelphia, Pennsylvania 19103  
4 BY: BETH L. HAAS, ESQUIRE  
5 (215) 569-5610  
6 Attorneys for Lyondell  
7

8 BEVERIDGE & DIAMOND  
9 477 Madison Avenue, 15th Floor  
10 New York, New York 10022  
11 BY: DANIEL M. KRAININ, ESQUIRE  
12 (212) 702-5417  
13 Attorneys for Sunoco  
14

15 WALLACE KING DOMIKE & BRANSON  
16 1050 Thomas Jefferson St., N.W.  
17 Washington, D.C. 20007  
18 BY: ROBERT LINDO, ESQUIRE  
19 (202) 204-1000  
20 Attorneys for Shell and Chevron  
21

22  
23 ALSO PRESENT:  
24 ILYA TALEYSNIK, Legal Videographer  
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IT IS HEREBY STIPULATED AND AGREED by  
and between counsel for the respective parties  
herein, that filing, sealing and certification  
be and the same are hereby waived.

IT IS FURTHER STIPULATED AND AGREED  
that all objections, except as to the form of  
the question, are reserved to the time of  
trial.

IT IS FURTHER STIPULATED AND AGREED  
that the within deposition may be sworn to and  
signed before any officer authorized to  
administer an oath, with the same force and  
effect as if signed and sworn to before the  
Court.

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1 THE VIDEOGRAPHER: This is Ilya  
2 Taleysnik. Member of the National Legal  
3 Association for Golkow Litigation  
4 Technologies.

5 We're on record at 10:30 a.m. on  
6 March 13, 2007. We're here for the case  
7 of the MTBE Products Liability litigation.  
8 The witness today is William Yulinsky.

9 We're at the location of  
10 340 Madison Avenue in New York City.

11 Will the attorneys please state their  
12 appearances for the record.

13 MR. STACK: William Stack for Exxon  
14 Mobil Corp.

15 MS. KALNINS TEMPLE: Jennifer kalnins Temple  
16 from McDermott, Will & Emery, for Exxon Mobil  
17 Corporation.

18 MR. TAYLOR: Andy Taylor for Valero  
19 Marketing and Supply Company, and other  
20 affiliated defendants.

21 MR. GREENE: Daniel Greene from the  
22 City of New York, representing the  
23 deponent.

24 THE VIDEOGRAPHER: Counselors on the  
25 phone.



1 MR. LINDO: Robert Lindo, on behalf  
2 of Shell and Chevron, defendants.

3 MR. WORKMAN: Rusty Workman,  
4 King & Spalding, for Chevron  
5 Corporation.

6 MS. HAAS: Beth Haas, Blank, Rome,  
7 for Lyondell.

8 MR. HARRINGTON: Pete Harrington,  
9 Bleakley, Platt & Schmidt, Getty Petroleum  
10 Marketing, Inc.

11 MR. KRAININ : Dan Krainin from  
12 Beveridge & Diamond, for Sunoco.

13 THE VIDEOGRAPHER: Will the court  
14 reporter please swear in the witness.

15 W I L L I A M Y U L I N S K Y, called as a  
16 witness, having been duly sworn by a  
17 Notary Public, was examined and testified  
18 as follows:

19 DIRECT EXAMINATION

20 BY MR. STACK:

21 Q Please state your full name for the  
22 record?

23 A William Allen Yulinsky.

24 Q And, Mr. Yulinsky, what is your  
25 current business address?

1           A     5917 Junction Boulevard, Flushing,  
2     New York. I work for the New York City  
3     Department of Environmental Protection.

4           Q     With regard to your position with the  
5     New York City Department of Environmental  
6     Protection, what is the current job title you  
7     hold?

8           A     I'm the director of environmental  
9     health and safety with the Bureau of Waste  
10    Water Treatment.

11          Q     I know having taken your deposition  
12    before, that you've been deposed. I would just  
13    like to review some ground rules with respect  
14    to today's proceeding to hopefully make the  
15    proceeding go as quickly as possible and to  
16    assist the court reporter.

17          You recognize that all the answers that  
18    you give to questions must be verbal?

19          A     Yes.

20          Q     And if I prompt you for a verbal  
21    answer of, yes or no, it's simply to assist the  
22    court reporter and I apologize in advance.  
23    Understood?

24          A     Yes.

25          Q     If I ask you a question you don't

1 understand, stop me, I will clarify it, and  
2 we'll make sure it's clear on the record, clear  
3 in your mind, and we don't waste your time.  
4 Understood?

5 A Yes.

6 Q If objections are imposed by any  
7 counsel, Mr. Greene, or anyone else, the only  
8 request I would make is that you withhold  
9 answering while the attorneys are speaking so  
10 that the court reporter can record, hopefully,  
11 just one or two rather than two or three people  
12 all trying to speak at once. Understood?

13 A Yes.

14 Q You recognize from our prior  
15 proceedings that you're free at any time to ask  
16 for a break and we'll accommodate you.  
17 Understood?

18 A Yes.

19 Q Is there any condition you currently  
20 have today, a physical impairment, that would  
21 make it difficult for you to sit for long  
22 periods or concentrate?

23 A No.

24 Q With regard to today's proceedings,  
25 you're here in a capacity as a person most

1 knowledgeable on certain subjects; you  
2 understand that?

3 A Yes, I do.

4 Q And with respect to the deposition,  
5 I'm going to mark as Exhibit Number 1, a Notice  
6 of Deposition issued to the City of New York  
7 relating to damages, and it articulates several  
8 topics, beginning on the third text page. I  
9 will provide a copy to you, Mr. Yulinsky. I  
10 previously provided a copy to your counsel.

11 A Yulinsky.

12 Q Yulinsky; I apologize.

13 A It's all right.

14 (Exhibit Number 1 marked for  
15 identification, as of this date.)

16 Q Mr. Yulinsky, have you seen  
17 the document we have marked as Exhibit 1  
18 prior to your deposition here  
19 today?

20 A Yes, I have.

21 Q And with respect to the designated  
22 issues articulated on the third, fourth, fifth,  
23 and I believe sixth page of that Notice,  
24 numbering 1 to 14, are you prepared to testify  
25 about all of those topics?

1 confirmed MTBE contamination hits, as Ordered  
2 by the Court on June 9, 2005. And I will  
3 provide you with a copy of this version, and I  
4 will submit that it is the only version that I  
5 had to look at, certainly that my colleague  
6 addressed the question of whether this was  
7 supplemented, but on this particular version,  
8 there does not appear to be an entry for  
9 Well 22. And I will let you look at that,  
10 we'll clarify it, and then we'll also clarify  
11 if that was supplemented.

12 (Exhibit Number 6 marked for  
13 identification, as of this date.)

14 THE WITNESS: Okay.

15 BY MR. STACK:

16 Q In looking at what now has been  
17 marked as Exhibit 6, does it appear as though  
18 there is any entry for Well 22?

19 A There does not appear to be.

20 Q And, Dan, I will tell you, over  
21 lunch, I know my colleague looked at it, but I  
22 won't speak for her or for Mr. Taylor, but I  
23 believe we made an effort to...

24 MS. KALNINS TEMPLE: Yes. And Dan  
25 said he would e-mail it to us tonight.

1           Q     With regard to the replacement of  
2     Wells 6, 6A, B, D, and 33, were those  
3     activities undertaken because of the presence  
4     of MTBE contamination in the aquifer?

5           A     No, they were not.

6           Q     Why were the wells at Station 6;  
7     that's 6 and 6A, B, and D, replaced?

8           A     As in preparation of the Station 6  
9     plant and pilot plant.

10          Q     And perhaps, I apologize, that  
11     question may have been inartful. Let's focus  
12     first on Well 6.

13                Was Well 6 replaced, due to the condition  
14     of the existing Well Number 6 that was  
15     installed, as of November 2001 -- back up.

16                Well -- Station 6. Prior to any  
17     consideration of upgrading it, how many wells  
18     were physically located at Station 6 before any  
19     work was done?

20           A     There were three wells on Station 6  
21     proper.

22           Q     And those were identified as what?

23           A     6A, 6B, 6C.

24           Q     With respect to Well 6C, was that  
25     well abandoned?

1           A     No. 6C was a Lloyd well, which is a  
2     very deep well.

3           Q     And with respect to Well 6C, was its  
4     continued use prohibited due to the moratorium  
5     on pumping water from the Lloyd's aquifer?

6           A     No, it was not.

7           Q     6C, does it still exist today?

8           A     Yes, it does.

9           Q     And with respect to Well 6C, is it  
10    part of the overall Station 6 project?

11          A     Yes, it is.

12          Q     And is it intended that the water  
13    from Well 6C will be treated in the Station 6  
14    treatment facility?

15          A     Yes, it could be.

16          Q     With regard to Well 6A, as it existed  
17    prior to the Station 6 project, was that well  
18    replaced -- did they redrill Well 6A?

19          A     Yes. The existing Well 6A was sealed  
20    in place, and a well within 15 feet was drilled  
21    at the same depth and diameter and capacity.

22          Q     With respect to Well 6B, was Well 6B  
23    sealed and redrilled?

24          A     Yes, it was.

25          Q     At the time that Well 6A was sealed,